

**Introduced by Senator Cedillo**

February 22, 2006

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An act to amend Section 14550 of the Welfare and Institutions Code, relating to adult day health care.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1439, as introduced, Cedillo. Medi-Cal: adult day health care: meals.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services and under which qualified low-income persons receive health care benefits, including, for certain beneficiaries, adult day health care benefits.

Existing law establishes the adult day health care program, in which adult day health care centers may participate upon certification by the department.

The program is administered pursuant to an interagency agreement between the department and the California Department of Aging, and program services are a covered Medi-Cal benefit. Existing law requires participating centers to offer specified services, including nutrition services, and requires that these nutrition services include a minimum of one meal per day, of a specified quality and quantity.

This bill would require that those nutrition services include a minimum of 2 meals per day, of the specified quality and quantity.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 14550 of the Welfare and Institutions
- 2 Code is amended to read:

1 14550. Adult day health care centers shall offer, and shall  
2 provide directly on the premises, at least the following services:

3 (a) Rehabilitation services, including the following:

4 (1) Occupational therapy as an adjunct to treatment designed  
5 to restore impaired function of patients with physical or mental  
6 limitations.

7 (2) Physical therapy appropriate to meet the needs of the  
8 patient.

9 (3) Speech therapy for participants with speech or language  
10 disorders.

11 (b) Medical services supervised by either the participant's  
12 personal physician or a staff physician, or both, which emphasize  
13 prevention treatment, rehabilitation, and continuity of care and  
14 also provide for maintenance of adequate medical records. To the  
15 extent otherwise permitted by law, medical services may be  
16 provided by nurse practitioners, as defined in Section 2835 of the  
17 Business and Professions Code, operating within the existing  
18 scope of practice, or under standardized procedures pursuant to  
19 Section 2725 of the Business and Professions Code, or by  
20 registered nurses practicing under standardized procedures  
21 pursuant to Section 2725 of the Business and Professions Code.

22 (c) Nursing services, including the following:

23 (1) Nursing services rendered by a professional nursing staff,  
24 who periodically evaluate the particular nursing needs of each  
25 participant and provide the care and treatment that is indicated.

26 (2) Self-care services oriented toward activities of daily living  
27 and personal hygiene, such as toileting, bathing, and grooming.

28 (d) Nutrition services, including the following:

29 (1) The program shall provide a minimum of ~~one meal~~ *two*  
30 *meals* per day, ~~each of which is~~ *shall be* of suitable quality and  
31 quantity as to supply at least one-third of the daily nutritional  
32 requirement. Additionally, special diets and supplemental  
33 feedings shall be available if indicated.

34 (2) Dietary counseling and nutrition education for the  
35 participant and his or her family shall be a required adjunct of  
36 such service. Dietary counseling and nutrition education may be  
37 provided by a professional registered nurse, unless the participant  
38 is receiving a special diet prescribed by a physician, or a nurse  
39 determines that the services of a registered dietician are  
40 necessary.

1 (e) Psychiatric or psychological services which include  
2 consultation and individual assessment by a psychiatrist, clinical  
3 psychologist, or a psychiatric social worker, when indicated, and  
4 group or individual treatment for persons with diagnosed mental,  
5 emotional, or behavioral problems.

6 (f) Social work services to participants and their families to  
7 help with personal, family, and adjustment problems that  
8 interfere with the effectiveness of treatment.

9 (g) Planned recreational and social activities suited to the  
10 needs of the participants and designed to encourage physical  
11 exercise, to prevent deterioration, and to stimulate social  
12 interaction.

13 (h) Transportation service for participants, when needed, to  
14 and from their homes utilizing specially equipped vehicles to  
15 accommodate participants with severe physical disabilities that  
16 limit their mobility.

17 (i) Written procedures for dealing with emergency situations.  
18 These written procedures shall include either of the following:

19 (1) The use of a local 911 emergency response system.

20 (2) All of the following elements:

21 (A) The name and telephone number of a physician on call.

22 (B) Written arrangements with a nearby hospital for inpatient  
23 and emergency room service.

24 (C) Provision for ambulance transportation.